

**To:** Brown, Jamesr[brown.jamesr@epa.gov]; Atkins, Blake[Atkins.Blake@epa.gov]  
**Cc:** Restivo, Angela[Restivo.Angela@epa.gov]; McCasland, Mark[McCasland.Mark@epa.gov]  
**From:** Ngo, Kim  
**Sent:** Fri 8/14/2015 11:40:39 PM  
**Subject:** FW: DRAFT language

FYI Last we heard from the field, Secretary Flynn is drafting up NMED's variance statement to allow Morningstar to pump water from Farmington using the pumps en route from Houston (the pumps do not meet the new definition of 'lead-free' but meets the previous lead-free definition)

**From:** shuryn, danielle, NMENV [mailto:danielle.shuryn@state.nm.us]  
**Sent:** Friday, August 14, 2015 5:57 PM  
**To:** Ngo, Kim  
**Subject:** RE: DRAFT language

Thanks Kim

**Danielle Shuryn**

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**From:** Ngo, Kim [mailto:Ngo.Kim@epa.gov]  
**Sent:** Friday, August 14, 2015 4:45 PM  
**To:** Stringer, Stephanie, NMENV; shuryn, danielle, NMENV; Martinez, Joe, NMENV; Nathanson, Peter, NMENV  
**Cc:** Restivo, Angela; Webster, Susan; Garcia, David; Foster, Althea  
**Subject:** DRAFT language

Danielle, here is draft language that NMED DWB asked us to send on the 4:00 MT data call to help with your efforts to get Morningstar connected to Farmington during this emergency.

NMED is temporarily exempting the Morningstar Water Supply System (NM3510524) from the provisions of the Reduction of Lead in Drinking Water Act (2011). The exemption is granted from August 14, 2015, to August 28, 2015, to allow the water system to temporarily bring in pump(s) that do not meet the requirements of Act. This exemption is provided based on the current short-term need to ensure that the water system has capacity to maintain pressure in the distribution system to avoid contamination problems that arise from inadequate pressure that could necessitate a boil water advisory. This need was created by restrictions placed on the water system because of the Gold King Mine spill. Because the Reduction of Lead in Drinking Water Act (2011) requirements are predicated on long-term exposure to lead in drinking water, we do not expect this short-term exemption to have an effect on public health.